

**CITY OF FILLMORE
CITY COUNCIL
&
SUCCESSOR AGENCY**

AGENDA



REGULAR MEETING

**TUESDAY, JANUARY 28, 2014
6:30 P.M.**

FILLMORE CITY HALL
CENTRAL PARK PLAZA
250 CENTRAL AVENUE
FILLMORE, CALIFORNIA 93015-1907
(805) 524-3701 ♦ www.fillmoreca.com

WELCOME TO THE CITY OF FILLMORE CITY COUNCIL MEETING! Your participation at this public meeting is valued and appreciated. Please note the City Council and Successor Agency convene concurrently.

Agenda/Packet: The Agenda/Packet is available for review at Fillmore City Hall and online at www.fillmoreca.com/cityhall/agendas 72 hours before the scheduled meeting (but generally available the Thursday prior to the scheduled Tuesday meeting). Materials related to an item on this agenda submitted to the City Council/Successor Agency after distribution of the agenda packet are available for public inspection in the City Clerk's Office during regular business hours and on the City's website subject to staff's ability to post the documents before the meeting.

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the City Clerk's Office at 534-3701. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)

Audible Devices: Please ensure all audible devices (pagers, telephones, etc.) are off or otherwise not audible when the City Council/SA is in session. Thank you.

Challenging City Council/Successor Agency Decisions: Any legal action by an applicant seeking to obtain a judicial review of the City Council/Successor Agency's decision on a hearing or issue listed on this Agenda may be subject to the 90-day filing period of, and governed by, Code of Civil Procedure § 1094.6. Additionally, if you challenge the actions of the City Council/Successor Agency in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in the public notice, or in written correspondence delivered to the City Council/Successor Agency at, or prior to, the public hearing pursuant to California Government Code § 65009.

Consent Calendar: Items listed on the Consent Calendar are considered to be routine in nature, not discussed individually, and are normally approved by one motion. If a Councilmember or member of the public wishes to comment on a particular item, that item shall be removed for separate action.

No New Business will be considered by the City Council/Successor Agency **after 11:30 p.m.** unless a majority of the legislative body determines to continue.

Public Input: If you wish to address the Council/Successor Agency regarding an item listed **on this agenda**, please complete and submit an Audience Participation Form to the City Clerk prior to consideration of that agenda item. Public Comments is the time for presentations/comments **not on this agenda** but within the subject-matter jurisdiction of the City Council/Successor Agency. Please complete and submit an Audience Participation Form to the City Clerk prior to the beginning of Public Comments. Pursuant to California Government Code/Brown Act, the City Council/ Successor Agency ordinarily cannot take action on any item that is not listed on the agenda. As a result, matters identified during Public Comment will be referred to staff for follow-up or considered on a future agenda. In accordance with Resolution No. 09-3175, speakers are provided five (5) minutes for items listed on the agenda and no more than five (5) minutes to speak during Public Comments. Please stay within the time allotment indicated by the Mayor.

Replay Schedule: City Council/SA meetings will be re-broadcast on Channel 10 daily at 6:00 p.m.

FILLMORE CITY COUNCIL & SUCCESSOR AGENCY

REGULAR MEETING AGENDA

TUESDAY, JANUARY 28, 2014 - 6:30 P.M.

COUNCIL CHAMBERS – CITY HALL

1. **Call to Order:**
2. **Pledge of Allegiance**
3. **Roll Call:** Council/Successor Agency members Rick Neal, Diane McCall, Steven Conaway, Vice Chair/Mayor Pro Tem Douglas Tucker and Chair/Mayor Manuel Minjares
4. **Approval of Agenda**
5. **Presentations and Announcements**
6. **Public Comments**
7. **Consent Calendar**

Recommendation for Item A. through G. is to Approve by voice vote.

- A. [City Warrant List for JANUARY 28, 2014.](#)
- B. [Successor Agency Warrant List for JANUARY 28, 2014.](#)
- C. [Monthly Investment Report for November 2013](#)
- D. [Monthly Investment Report for December 2013](#)
- E. [Second Reading and Adoption of Ordinance 14-841 An Ordinance Updating Fillmore Municipal Code Chapter 15.55 "Rules and Regulations for City Parks"](#)
- F. [Second Reading and Adoption of Ordinance 14-843 An Ordinance Amending Fillmore Municipal Code Chapter 150.32 and Adding Chapter 15.34 Relating to Daytime and Nighttime Curfews on Minors and Loitering on Public Rights of ways and In and Around Public Places.](#)
- G. [Second Reading and Adoption of Ordinance 14-844 An Ordinance Amending Portions of the Fillmore Municipal Code Pertaining to State Video Franchise Holders Operating Within the City by Deleting Chapter 7.36, Amending Sections 11.12.010 and 11.12.020 and Adding a New Chapter 7.38 and Adding Sections 11.12.160 and 11.12.170.](#)

8. **Department Reports**

City Manager

- A. [Appointment to Planning Commission and Film Commission.](#)

Recommendation: 1) Appoint incumbent Christopher Hoy to Planning Commission and incumbent Carrie Broggie to the Film Commission; and 2) reopen Planning

Commission to fill one vacancy; or 3) do not appoint anybody to either commission right now and reopen recruitment for two openings on the Planning Commission and one opening on Film Commission.

Planning and Community Development

- B. Conduct a public hearing, receive the Planning Commission’s recommendation and adopt the Resolution in Attachment A that includes the following actions:
 - (i) Approves a General Plan Amendment by adopting the revised draft Housing Element (Attachment B)
 - (ii) Approves and Environmental Addendum to General Plan EIR pursuant to CEQA Guidelines, § 15164 (Attachment C).

Recommendation: 1) Adopt the Resolution in Attachment A: (i) approving the revised Draft housing Element and companion Addendum #1 to the 2003 General Plan Update FEIR; and (ii) incorporating the changes recommended by the Planning Commission.

9. Committee, Commission, and Board Reports

10. City Council Reports, Recommendations, and Comments

- A. City Councilmember Travel Requests/Brief Reports
- B. Any Councilmember May Propose Items for Placement on Future Agenda
- C. Council Referrals/Brief Comments

11. City Manager

- A. City Manager’s Report

12. Closed Sessions

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.
The City Council will conduct a closed session, pursuant to Government Code sections 54956.9(d)(2) and (d)(3), because there is significant exposure to litigation in three cases.
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.
The City Council will conduct a closed session, pursuant to Government Code sections 54956.9(d)(4) and (d)(3), because the City is considering whether to initiate litigation in three cases.

13. Adjournment: Mayor adjourns this meeting to the next City Council meeting scheduled for February 11, 2014 at 6:30 p.m. at City Hall, 250 Central Avenue.

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